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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,568	03/08/2001	Masayuki Kan	H-970	5369

24956 7590 10/06/2004

MATTINGLY, STANGER & MALUR, P.C.  
1800 DIAGONAL ROAD  
SUITE 370  
ALEXANDRIA, VA 22314

EXAMINER

POND, ROBERT M

ART UNIT PAPER NUMBER

3625

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/800,568

Applicant(s)

KAN ET AL.

Examiner

Robert M. Pond

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 10 March 2000. It is noted, however, that applicant has not filed a certified copy of the foreign application as required by 35 U.S.C. 119(b).

### ***Specification***

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
3. The abstract of the disclosure is objected to because it exceeds 150 words and contains two paragraphs. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**4. Claims 1-28 are rejected under 35 USC 103(a) as being unpatentable over PR Newswire (PTO-892, Item: U hereinafter referred to as "PRN"), in view of M2 Presswire (PTO-892, Item: V hereinafter referred to as "M2P").**

PRN teaches the system and method of a new electronic commerce site [www.epsonsupplies.com](http://www.epsonsupplies.com) dedicated to selling supplies and accessories for Epson consumer and commercial products. PRN teaches the web site providing its consumers with a convenient and secure method of ordering inkjet replacement cartridges, special papers, and other accessories. PRN teaches (U: see pages 1-2):

- using prompts that lead consumers to the most appropriate merchandise for their Epson products and includes images for most items.
- providing a reorder feature.
- selling refurbished product with new warranties (please note examiner's interpretation: refurbished product belonged to a previous owner who at least either traded-in the product, or sold the product, abandoned the product, or gave the product to another).

PRN teaches all the above as noted under the 103(a) rejection and teaches a) an online registration- for consumers when they make their first purchase, b) each consumer being greeted with personal welcome page on subsequent online visits to the site after registering online, and c) selling to consumers refurbished products via the web site available with new warranties (U: see pages 1-2). PRN, however, does not teach a consumer product having capability to access the online registration web site. M2P teaches Sony computer products being sold

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with a one-year warranty which can be extended to three years by purchasing an additional warranty pack. M2P teaches Sony computer products containing a special pre-installed software application known as VAIO Autodemo that provides quick access to service and support information and allows for online registration. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of PRN to implement on the consumer product an online registration application as taught by M2P, in order to allow Epson consumers to register newly purchased refurbished products online, and thereby attract consumers to online service.

PRN and M2P teach all the above as noted under the 103(a) rejection and teach a) selling refurbished product with new warranty to a consumer, and b) online registration of refurbished product, but do not teach the consumer requesting removing the product from registration. It would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of PRN and M2P to disclose removing a product from registration, since one of ordinary skill in the art would ascertain the need to remove original owner registration of a previously owned product that is being refurbished and sold with a new warranty.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US 6,208,853 (LoVasco et al.) 27 March 2001; teaches consumer product online registration, product containing software to facilitate warranty registration.
- US 2001/0025245 (Flickinger et al.) 27 September 2001; teaches automatic asset registration; product containing locally stored e-register file that communicates with a web store.
- Business Wire; "Intelliquest Registers Over 1.8 Million New Technology Products in December 1998," 11 January 1999, 3pgs, Proquest #3798431; teaches web-based registration of products.
- Business Wire; "IntelliQuest IQ2.net Upgrades Web-based Product Registration; Reliable and Scalable Service Provides Inexpensive, Comprehensive Customer Identification," 22 March 1999, Proquest #39907018; teaches web-based registration system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mr. Robert M. Pond** whose telephone number is 703-605-4253. The examiner can normally be reached Monday-Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ms. Wynn Coggins** can be reached on 703-308-1344.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

***Washington D.C. 20231***

or faxed to:

**703-872-9306** (Official communications; including After Final communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.

A handwritten signature in black ink, appearing to read 'Robert M. Pond', with a stylized flourish at the end.

Robert M. Pond  
Patent Examiner  
September 29, 2004